

Issued by the  
**UNITED STATES DISTRICT COURT**

Southern

DISTRICT OF

South Dakota

John F. Ackerman &amp; Judith Ackerman

**SUBPOENA IN A CIVIL CASE**

V.

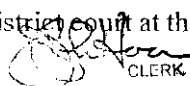
Indiana Pacers, et al

Case Number:<sup>1</sup> 06-CV-15108U.S. District Court -  
Eastern District of Michigan

TO: Citibank (South Dakota), N.A.  
 701 E. 60th Street, N., MC 1251  
 Sioux Falls, SD 57117

**FILED****JUL 05 2007**

- ☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

  
 CLERK

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Any and all information regarding account number: [REDACTED], pertaining to John F. Ackerman, Jr. [REDACTED]  
 [REDACTED] [social security number: [REDACTED], D.O.B. [REDACTED]], including but not limited to:  
 account applications and account statements from 11/19/03 to the present.

PLACE

Steven M. Potter, Esq., 2701 Cambridge Court, Suite 223, Auburn Hills, MI 48326

DATE AND TIME

7/2/2007 12:00 pm

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

*Joseph Haas, Clerk by: Jackie M. Minkiewicz*  
 ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER  
*Deputy*

6-12-07

(See Rule 45, Federal Rules of Civil Procedure, Parts C &amp; D on next page)

<sup>1</sup> If action is pending in district other than district of issuance, state district under case number.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chibank (South Dakota), N.A.  
 701 E. 60th St., N., MC1251  
 Sioux Falls, SD 57117

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☐ Agent  
☒ Addressee

B. Received by James L. Allen Date of Delivery Jan 25 2007

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7004 2890 0002 6940 7743

102595-02-M-1540

Domestic Return Receipt

PS Form 3811, February 2004

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

JOHN F. ACKERMAN, JR. and JUDITH  
ACKERMAN,

Plaintiffs,

Case No. 06-CV-15108

U.S. District Court - Eastern District of Michigan

-vs-

Hon. ANNA DIGGS TAYLOR

INDIANA PACERS, an assumed name for PACERS  
BASKETBALL CORPORATION, an Indiana Corporation,  
RON ARTEST and DAVID  
HARRISON, Jointly & Severally,

Defendants.

GEOFFREY N. FIEGER (P30441)  
TODD J. WEGLARZ (P48035)  
Attorneys for Plaintiffs  
19390 W. Ten Mile Road  
Southfield, Michigan 48075  
(248)355-5555/FAX 5148

Potter, DeAgostino, O'Dea & Patterson  
STEVEN M. POTTER (P33344)  
RICK J. PATTERSON (P55706)  
Attorney for Indiana Pacers  
2701 Cambridge Court, Suite 223  
Auburn Hills, Michigan 48326  
(248)377-1700/FAX 0051

Fried Saperstein Abbatt, P.C.  
ALLAN S. RUBIN (P44420)  
NEIL B. PIOCH (P67677)  
Attorneys for Ron Artest  
29800 Telegraph Road  
Southfield, Michigan 48034  
(248) 353-6500/FAX 248-358- 9729

WALTER J. PISZCZATOWSKI (P27158)  
Attorney for David Harrison  
1760 S. Telegraph Road, Suite 300  
Bloomfield Hills, MI 48302  
(248) 335-5000/FAX 3346

**DEFENDANT'S NOTICE OF TAKING  
DUCES TECUM DEPOSITION OF CITIBANK (SOUTH DAKOTA), N.A.**

**TO: Citibank (South Dakota), N.A.  
701 E. 60<sup>th</sup> St., N., MC 1251  
Sioux Falls, SD 57117**

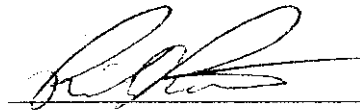
**PLEASE TAKE NOTICE** that Defendant INDIANA PACERS, will take the duces tecum deposition upon document production only of Citibank (South Dakota), N.A., commencing on Monday, July 2, 2007 at 12:00 p.m.

The deposition will take place at the U.S. District Court of South Dakota - Southern Division, 400 S. Phillips Avenue, Room 128, Sioux Falls, SD 57104, and will be taken in accordance with Rules 26 and 30 of the Federal Rules of Civil Procedure.

Deponent is required to produce any and all information regarding account number [REDACTED], pertaining to John F. Ackerman, Jr., [REDACTED] [social security number: [REDACTED], D.O.B.: [REDACTED]], including but not limited to: account applications and account statements from 11/19/03 to present.

POTTER, DeAGOSTINO, O'DEA & PATTERSON  
In lieu of appearing at deposition, Deponent Citibank (South Dakota), N.A., may produce requested documents to POTTER, DeAGOSTINO, O'DEA & PATTERSON, 2701 Cambridge Court, Suite 223, Auburn Hills, MI 48326, prior to July 2, 2007, in accordance with the accompanying Subpoena.

POTTER, DeAGOSTINO, O'DEA & PATTERSON



STEVEN M. POTTER (P33344)

RICK J. PATTERSON (P55706)

Attorneys for Defendant Indiana Pacers

2701 Cambridge Court, Suite 223

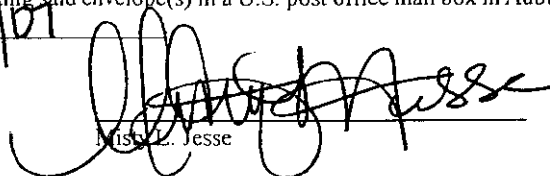
Auburn Hills, MI 48326

(248) 377-1700

Dated: June 11, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the above document was served upon the attorneys of record for all parties to the above cause by enclosing the same in an envelope addressed to such attorneys at their business address as disclosed by the pleadings of record herein with postage fully prepaid, depositing said envelope(s) in a U.S. post office mail box in Auburn Hills, Michigan on 06/11/07



Miss L. Jesse